

COMMISSION MEETING MINUTES  
November 25, 2014

The Board of Davis County Commissioners met in room 303 of the Davis County Administration Building, 61 South Main Street, Farmington, Utah on November 25, 2014. Members present were Commissioner Louenda Downs – Chair, Commissioner P. Bret Millburn, Commissioner John Petroff, Jr., Clerk/Auditor Steve Rawlings, Chief Deputy Civil County Attorney Neal Geddes and Deputy Clerk/Auditor Shauna Brady.

Chief Deputy Kevin Fielding, Davis County Sheriff’s Office, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Davis County  
offices closed  
for  
Thanksgiving

Davis County offices will be closed on November 27-28, 2014 for the Thanksgiving holiday. Commissioner Downs wished everyone a happy Thanksgiving and said we have much to be grateful for including the community of almost 320,000 county individuals who make this a great county to live in.

Marlin Eldred  
named interim  
director of DC  
CED

Commissioner Downs invited Marlin Eldred to stand and announced effective November 28, he will be appointed as interim director of the Davis County Community & Economic Development office, replacing Kent Sulser, who recently retired. Kent and Marlin have worked together many years and have done an amazing job. All the best to Marlin in this position and all the best to Kent as he retires.

2015 Proposed  
Budget  
available

The 2015 Proposed Budget was scheduled to be available for public review on November 27, 2014. However, it will actually be available on the Davis County website today.

2015 Budget  
Public Hearing

A Public Hearing for the 2015 Budget is scheduled for 6 p.m. on December 9, 2014 in the Davis County Commission Chambers.

Distribution of  
2014 Davis  
County  
Commissioners  
Cup Grant  
Awards

Commissioner Downs announced the distribution of the 2014 Davis County Commissioners’ Cup Grant Awards and invited Kent Sulser to comment. Kent said this is the 17<sup>th</sup> year of the Commissioners’ Cup and the Community & Economic Development office has been coordinating it for the past 9 years. He said it has been a great tool to associate with businesses and others throughout the county. Each year we are able to accumulate \$17,000 - \$20,000 that has been spun out to well-deserving entities to help with the educational pursuits of our children. He thanked the Commissioners for the opportunity to participate. Commissioner Downs recognized Neka Roundy and Annette Hanson from the CED office for their efforts to make this successful. Commissioner Downs read the list of qualifying recipients.

Commissioner Millburn made a motion to approve the disbursement of the Commissioners’ Cup funds. Commissioner Petroff seconded the motion. All voted aye. Commissioner Millburn commented this is a fun thing to be involved in. Generally speaking, the County and the Commission has been involved in education indirectly through the Commissioners’ Cup. It provides a way for them to make a difference in the lives of young people in ways from safe graduation parties to summer reading programs. We couldn’t do this without the participation of the business community, from whom these funds come. They are not tax dollars.

Checks were distributed to the following recipients:

Best Buddies Utah	\$1,800.00 received by <i>Jamie Riccobono</i>
Davis Applied Technology College	\$2,000.00 received by <i>Karen Mecham</i>
Davis Arts Council	\$2,200.00 received by <i>Teresa Sanderson</i>
Davis Education Foundation	\$5,000.00 received by <i>Jodi Lunt</i>
Davis Head Start Program	\$1,000.00 received by <i>Brett Lund</i>
Great Salt Lake Bird Festival	\$1,400.00 received by <i>Neka Roundy</i>
Weber State University Upward Bound	\$1,900.00 received by <i>Dave Trujillo</i>
Woods Cross Literacy	\$ 500.00 will be mailed
Junior Livestock (4-H Quiz Bowl)	\$2,000.00 received by <i>Andrew Tanner</i>

Resolution  
#2014-388  
appointing two  
representatives  
and two  
alternates to  
Taxing Entity  
Committee

Resolution #2014-388 appointing two representatives and two alternates to the Taxing Entity Committee established for all urban renewal and economic development project areas in Davis County. Commissioner Downs read the following portions of the Resolution.

**DAVIS COUNTY RESOLUTION NO. 2014-388  
RESOLUTION APPOINTING TWO REPRESENTATIVES AND TWO ALTERNATES TO  
THE TAXING ENTITY COMMITTEE ESTABLISHED FOR ALL URBAN RENEWAL  
AND ECONOMIC DEVELOPMENT PROJECT AREAS IN  
DAVIS COUNTY, UTAH**

WHEREAS, Section 17C-1-402 of the Utah Code requires Davis County to appoint two representatives to the Economic Development Project Area Taxing Entity Committee (“Taxing Entity Committee”) for each agency that adopts an Urban Renewal or Economic Development Project Plan Area; and

WHEREAS, the County’s previous appointments are unable to continue to serve as representatives of the Taxing Entity Committee; and

WHEREAS, Davis County desires now to appoint two representatives and two alternates to the Taxing Entity Committee to remain in conformance with Section 17C-1-402 of the Utah Code.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DAVIS COUNTY AS FOLLOWS:**

**Section 1. Representatives.** The Board of County Commissioners of Davis County (the “Commission”) hereby appoints the following individuals as representatives of the Taxing Entity Committee established pursuant to Section 17C-1-402, Utah Code, as amended, to be created for each Urban Renewal or Economic Development Project Plan Area created within Davis County:

- a. Marlin Eldred, Davis County Community and Economic Development Interim Director; and
- b. Curtis Koch, Davis County Clerk/Auditor – Elect.

**Section 2. Alternates.** The Commission also appoints the following individuals as alternate representatives of the Taxing Entity Committee established pursuant to Section 17C-1-402, Utah Code, as amended, to be created for each Urban Renewal or Economic Development Project Plan Area created within Davis County:

- a. Dale Peterson, Davis County Assessor – Elect; and
- b. Mark Altom, Davis County Treasurer

Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. Kent Sulser commented that on Section 4, (see balance of Resolution below) a change was made to the Resolution to add some opportunities for the representatives and the alternates to interface and make sure to advance and protect the interests of Davis County by collaborating and to confer with the Commission, the County Clerk/Auditor’s office, Assessor’s office, Treasurer’s office and the Attorney’s office. To do so, would push forward their interests in a collaborative way so when the TEC votes on projects and works with economic development areas, they are really in a voice of unanimity towards making this TEC function. Commissioner Downs appreciated his comments and confirmed the term will be 4 years and will be effective immediately.

**Section 3. Authority.** The Taxing Entity Committee representatives and alternates appointed by the Commission shall act as the County Representatives on the Taxing Entity Committee and shall have all authority granted to them under state law.

**Section 4. Collaboration.** The Taxing Entity Committee representatives and alternates appointed by the Commission shall, in furtherance of their responsibilities as representatives of the Taxing Entity Committee, collaborate and confer with the Commission, the County Auditor’s Office, the Assessor’s office, the County Treasurer’s Office, and the County Attorney’s Office to protect and advance the interests of Davis County.

**Section 5. Term.** Each individual appointed herein shall serve a term of four (4) years, or until such time as the Commission appoints successor representatives and/or alternates.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon its adoption.

The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2014-389 with  
Energy  
Solutions  
Arena as state  
approved food  
handler training

Dave Spence, Davis County Health Department, presented agreement #2014-389 recognizing Energy Solutions Arena as a state approved vendor of services for an acceptable and valid means of food handler training as outlined in the Utah Administrative Code. The receivable amount is \$15.00 per successful trainee. The contract period is from date signed until terminated. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Chief Deputy Kevin Fielding, Davis County Sheriff's Office, presented the following agreements:

Agreement  
#2014-390 with  
Emergency  
Communications  
Network for  
user agreement  
for ECN/Code  
Red

Agreement #2014-390 with the Emergency Communications Network (ECN) for a user agreement for ECN/Code Red. This replaces the City Watch program that has been in place for quite some time. ECN/Code Red is in place for mass notification should we have a disaster. It is to be paid for initially by the Homeland Security grants. If the grant funds are insufficient, the County will pick up the balance. Ellis Bruch, Davis County Emergency Coordinator, confirmed Code Red/ECN is the leading company in the nation right now and this change is a good move for our community. Commissioner Millburn confirmed with Ellis that this agreement is a backup in case the Homeland Security Grant funds fade away and we still need the service. The payable contract amount is \$157,500.00 paid out annually at \$39,375.00. The contract period is November 11, 2014 through June 19, 2018. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2014-391 with  
Nightingale  
College for  
clinical  
preceptorship

Agreement #2014-391 with Nightingale College for a clinical preceptorship for student Hailee Kelson. This is the second student for next semester. There are no monies involved. The contract period is indefinite. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Mark Langston, Davis County Information Systems Director, presented the following agreements:

Agreement  
#2014-392 with  
Mobile Iron for  
device  
maintenance

Agreement #2014-392 with Mobile Iron for device maintenance support for 1 year renewal with standard support. This is the device management software to help track and keep all of our cell phone devices, mobile tablets, etc., in conformance with County policy. The payable amount is \$3,000.00. The contract period is for 1 year. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement  
#2014-393 with  
Tech Connect  
for Liebert  
NPower air  
conditioner  
maintenance

Agreement #2014-393 with Tech Connect for maintenance of the Liebert NPower80kVA air conditioner for UPS units in the computer center. The payable amount is \$3,400.00. The contract period is 1 year. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Resolution  
#2014-394 DC  
& West Point  
CDA allowing  
draw down on  
new tax dollars

Marlin Eldred, Davis County Community & Economic Development Interim Director, presented Resolution #2014-394. Marlin acknowledged the attendance of Mayor Erik Craythorne and Kyle Laws of West Point City and thanked the City for partnering with the County. This resolution will be between Davis County and the West Point City Community Development Renewal Agency (CDA) and allows them to draw down new tax dollars for the purpose of generating economic development on the corner property of 2000 West and 300 North. This is needed to provide services to residents in West Point and help stop sales tax leakage from the city. Marlin invited Mayor Craythorne and Kyle to make comments. Mayor Craythorne

said 99.5% of tax revenue is lost in West Point City. This has been a great collaborative effort with the County. When they were approached by the developer for Smith’s Marketplace, they were competing with other sites that were not in Davis County. This site was owned the LDS Church and did not have the infrastructure that some of the other sites had. Not knowing anything about the process, he reached out to Kaysville City Mayor Steve Hiatt, who had just gone through the process, as well as Marlin, Kent Sulser and Annette Hanson. They were all able to supply the mayor and Kyle with valuable information, including the matrix they used for the tax increment. This was a good example of cities working with the County to lure in a much needed development for West Point City. Mayor Craythorne said they have been patient, noting this site was acquired when Commissioner Petroff was the West Point mayor. They couldn’t have hoped for anything better than what they got with Smith’s Marketplace. He offered his thanks to Kent, Marlin, Annette and the commissioners. Commissioner Petroff said this is a relatively small piece of property that is going into the CDA in regard to what the potential is right there. There are over 250 acres that could eventually develop into a mixed use area. Mayor Craythorne said they are excited for the potential tax base and creation of new jobs. Commissioner Downs recognized Kent, Marlin and Annette as the brains behind the matrix. Marlin explained the matrix is a guideline that basically breaks down potential housing, retail and job creation and provides a guideline of how many years and to what percent the County would like to participate. As a side note, he said the school district now utilizes the matrix. As the County continues to participate in CDA projects, the matrix will serve it very well. Commissioner Downs asked Marlin to confirm that on this particular resolution, the County’s participation is 50% of the tax increment for 15 years. Last week, the school board approved their participation of 50% tax increment over 15 years. One caveat Marlin wanted on record is that the RDA itself approved the plan and budget last week. There has to be a 30-day hearing period, so the agreement and resolution will be contingent upon the 30-day hearing process at the city level if the Commission approves it today. Commissioner Petroff made a motion to approve the resolution. Commissioner Millburn seconded the motion. All voted aye. Commissioner Millburn made a motion to approve the interlocal agreement with West Point City that spells out the County’s participation of 50% tax increment for 15 years with a cap of \$2.2 million. Commissioner Petroff seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Agreement #2014-395 with Utah Dept of Natural Resources for wild land fire protection

Commissioner Millburn presented agreement #2014-395 with the Utah Department of Natural Resources, Division of Forestry, Fire & State Lands for wild land fire protection and cost share of the fire warden. This is an annual agreement; however, it has been delayed while the County awaited the signed paper work from the State. It outlines the insurance plan that is utilized for fire protection on the hillside and a cost-share program for the Davis County Fire Warden. The County will pick up 49% of the cost and the State will pick up 51%. The payable contract amount is to be determined. The contract period is annual. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2014-396 summary list of agreements at DC Legacy Events Center

Dave Hansen, Davis County Legacy Events Center Director, presented summary list of rental agreements #2014-396 at the Davis County Legacy Events Center. He confirmed the summary list consists of low-dollar amount, low-risk rentals that range between hourly to multi-day events.

- |                                    |                              |
|------------------------------------|------------------------------|
| 12 <sup>th</sup> Night             | Rowser Winter Riding         |
| Avalanche 04 Black N               | Safe Kids Day DC Health Dept |
| Canyonlands Canine Association (2) | Strikers                     |
| Cummings, Dee                      | Strikers BM                  |
| Farmington Bay Party               | Strikers SB                  |
| Hoot                               | UCHA (4)                     |
| Livermoore, Larocca-Laurie (4)     | Utah Avalanche 01            |
| Monray, Keli                       | Wasatch Working Aigility     |

Budget Change  
for DC  
Planning Office

Real Kaysville (2) Wasatch Working Australian Shepherds

Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

The following budget change for the Davis County Planning Office was presented:

Date: 11/20/2014

LINE ITEM CHANGES (Dollar amounts for increases and decreases should balance)				
Increase	Decrease	Account Name	Account Number	Dollar Amount
( X )	( )	Building Inspection Fees	25-3424-000	237,000
( X )	( )	Contract Services	25-4242-621	105,000

Barry Burton, Davis County Planning Director, explained the cause of this action is a large project of the Chevron Refinery. They are replacing all of the facilities at the refinery that house people and are moving them outside of the “blast range” within the refinery so they are safer. Barry commented that Chevron is probably the most safety-conscious people he has ever worked around. This is a major investment on their part to move these facilities to the corner of Redwood Road and I-215. Because of that, we are receiving an influx of funds from building permit fees and expending quite a bit on plans examiner fees, as well as building inspecting services. We will be collecting around \$265,000.00 and the budget change will be \$105,000.00 expended for the plans examiner and building inspecting services this year. The plan will be a 20-month project. The balance of the funds will be expended over the next 2 years, including a South Davis Metro Fire impact fee and some refundable bonds. Steve Rawlings, Davis County Clerk/Auditor, made a clarification that based on the new legislation passed relative to budget changes, he asked the commissioners to accept this as consideration for a budget hearing that will be held on December 9<sup>th</sup>. Commissioner Millburn made a motion to approve. Commissioner Petroff seconded the motions. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn made a motion to convene as the Board of Equalization. Commissioner Petroff seconded the motion. All voted aye.

Approval of  
Property Tax  
Register

Dale Peterson, Davis County Tax Administration Director, presented the Property Tax Register which reflects 10 corrections, 157 appeals recommended for approval, and 31 appeals recommended to be dismissed or denied. Commissioner Petroff made a motion to approve. Commissioner Millburn seconded the motion. All voted aye.

Commissioner Petroff made a motion to reconvene Commission Meeting. Commissioner Millburn seconded the motion. All voted aye.

Approval of  
Check  
Registers

Check registers as prepared by the Davis County Clerk/Auditor’s Office were approved by a motion from Commissioner Millburn. Commissioner Petroff seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Approval of  
minutes

Minutes of the Davis County Commission Meeting held November 18, 2014 were approved by a motion by Commissioner Millburn. Commissioner Petroff seconded the motion. All voted aye.

Commissioner Comments.

No Public Comments.

Meeting adjourned.

Clerk/Audit

Chair

